

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Ruth Y. Goldway, Chairman;
Nanci E. Langley, Vice Chairman;
Mark Acton; and
Robert G. Taub

Elmo Post Office
Elmo, Missouri

Docket No. A2012-48

ORDER AFFIRMING DETERMINATION

(Issued February 22, 2012)

I. INTRODUCTION

On December 15, 2011, the Postal Service advised the Commission that it “will delay the closing or consolidation of any Post Office until May 15, 2012”.¹ The Postal Service further indicated that it “will proceed with the discontinuance process for any Post Office in which a Final Determination was already posted as of December 12, 2011, including all pending appeals.” *Id.* It stated that the only “Post Offices” subject to closing prior to May 16, 2012 are those that were not in operation on, and for which a Final Determination was posted as of, December 12, 2011. *Id.* It affirmed that it “will not close or consolidate any other Post Office prior to May 16, 2012.” *Id.* at 2. Lastly,

¹ United States Postal Service Notice of Status of the Moratorium on Post Office Discontinuance Actions, December 15, 2011, at 1 (Notice).

the Postal Service requested the Commission “to continue adjudicating appeals as provided in the 120-day decisional schedule for each proceeding.” *Id.*

The Postal Service’s Notice outlines the parameters of its newly announced discontinuance policy. Pursuant to the Postal Service’s request, the Commission will fulfill its appellate responsibilities under 39 U.S.C. § 404(d)(5).

On November 2, 2011, Joyce Ecker (Petitioner) filed a petition with the Commission seeking review of the Postal Service’s Final Determination to close the Elmo, Missouri post office (Elmo post office).² The Final Determination to close the Elmo post office is affirmed.³

II. PROCEDURAL HISTORY

On November 16, 2011, the Commission established Docket No. A2012-48 to consider the appeal, designated a Public Representative, and directed the Postal Service to file its Administrative Record and any responsive pleadings.⁴

On November 18, 2011, the Postal Service filed the Administrative Record with the Commission.⁵ On the same date, the Postal Service filed a motion requesting late acceptance of the Administrative Record.⁶ The Postal Service also filed comments requesting that the Commission affirm its Final Determination.⁷

² Petition for Review received from Joyce Ecker regarding the Elmo, MO post office 64445, November 2, 2011 (Petition).

³ The Commission is divided equally, 2-2, on the outcome of this appeal. In the absence of a majority, the Final Determination stands.

⁴ Order No. 971, Notice and Order Accepting Appeal and Establishing Procedural Schedule, November 16, 2011.

⁵ The Administrative Record is attached to the United States Postal Service Notice of Filing, November 18, 2011 (Administrative Record). The Administrative Record includes, as Item No. 47, the Final Determination to Close the Elmo, MO Post Office and Establish Service by Rural Route Service (Final Determination).

⁶ Motion of the United States Postal Service for Late Acceptance of Administrative Record, November 18, 2011. The motion is granted.

⁷ United States Postal Service Comments Regarding Appeal, December 23, 2011 (Postal Service Comments).

Petitioner filed a participant statement supporting her Petition.⁸ The Commission received two additional participant statements,⁹ a notice of intervention,¹⁰ and two letters¹¹ objecting to the closure of the Elmo post office. On December 29, 2011, the Public Representative filed a reply brief.¹²

III. BACKGROUND

The Elmo post office provides retail postal services and service to 38 post office box or general delivery customers. Final Determination at 2. No delivery customers are served through this office. The Elmo post office, an EAS-53 level facility, provides retail service from 12:15 p.m. to 4:15 p.m., Monday through Friday, and 12:15 p.m. to 2:15 p.m. on Saturday. Lobby access hours are the same as retail service hours. *Id.*

The postmaster position became vacant on October 4, 2008, when the Elmo postmaster retired. A non-career officer-in-charge (OIC) was installed to operate the office. Retail transactions average ten transactions daily (10 minutes of retail workload). Post office receipts for the last 3 years were \$9,294 in FY 2008; \$9,616 in FY 2009; and \$9,295 in FY 2010. There are no permit or postage meter customers. *Id.* By closing this office, the Postal Service anticipates savings of \$15,984 annually. *Id.* at 10.

After the closure, retail services will be provided by the Burlington Junction post office located approximately 13 miles away or the Clearmont post office located 5 miles

⁸ Participant Statement received from Joyce Ecker, December 6, 2011 (Ecker Participant Statement).

⁹ Participant Statement received from Beverly Kent, December 7, 2011 (Kent Participant Statement); Participant Statement received from Carol L. Snodderley, January 18, 2012 (Snodderley Participant Statement).

¹⁰ Notice of Intervention received from Wilma Bayless, December 8, 2011 (Notice of Intervention). The Notice of Intervention mirrors the participant statements and shall be treated as such.

¹¹ Letter received from Larry and Sharon Ecker, December 21, 2011 (Ecker Letter); Letter received from Wayne and Dixie James, January 17, 2012 (James Letter).

¹² Reply Brief of the Public Representative, December 29, 2011 (Public Representative Reply Brief).

away.¹³ Delivery service will be provided by rural carrier through the Burlington Junction post office. *Id.* The Burlington Junction post office is an EAS-13 level office, with retail hours of 8:30 a.m. to 11:30 a.m. and 1:00 p.m. to 4:15 p.m., Monday through Friday, and 8:00 a.m. to 9:30 a.m. on Saturday. Eighty-six (86) post office boxes are available. *Id.* The Postal Service will continue to use the Elmo name and ZIP Code. *Id.* at 7, Concern No. 1.

IV. PARTICIPANT PLEADINGS

Petitioners. Petitioners oppose the closure of the Elmo post office. Petitioners argue that rural route service will not provide the Elmo community with a maximum degree of regular and effective service. Petition at 1; Ecker Participant Statement 1-2; Kent Participant Statement at 1-2; Ecker Letter at 1; James Letter at 1; Snodderley Participant Statement at 1. Petitioners assert that closing the Elmo post office will have an adverse effect on the Elmo community identity and local businesses. Petition at 1; Notice of Intervention at 1; James Letter at 1; Snodderley Participant Statement at 2. Petitioners also contend that the estimated cost savings from the closure are inaccurate. Petition at 1; Ecker Participant Statement at 3; Kent Participant Statement at 2; Ecker Letter at 1; Snodderley Participant Statement at 1. Petitioners further assert that there is a factual error in the Final Determination, stating that there are not eight post offices within 12.5 miles of the Elmo post office. Petition at 1; Ecker Participant Statement at 1; Kent Participant Statement at 2.

Postal Service. The Postal Service argues that the Commission should affirm its determination to close the Elmo post office. Postal Service Comments at 2. The Postal Service believes the appeal raises four main issues: (1) the effect on postal services; (2) the impact on the Elmo community; (3) the economic savings expected to result from

¹³ *Id.* at 2. MapQuest estimates the driving distance between the Elmo and Burlington Junction post offices to be approximately 12.6 miles (17 minutes driving time). MapQuest estimates the driving distance between the Elmo and Clearmont post offices to be approximately 5.4 miles (7 minutes driving time). The Postal Service notes that there are eight other post offices within a 12.5 mile radius. *Id.*

discontinuing the Elmo post office; and (4) factual errors contained in the Final Determination. *Id.* at 1-2. The Postal Service asserts that it has given these and other statutory issues serious consideration and concludes that the determination to discontinue the Elmo post office should be affirmed. *Id.* at 2, 12.

The Postal Service explains that its decision to close the Elmo post office was based on several factors, including:

- the postmaster vacancy;
- a minimal workload and low office revenue;
- a variety of other delivery and retail options (including the convenience of rural delivery and retail service);
- little recent growth in the area;
- minimal impact on the community; and
- expected financial savings.

Id. at 4. The Postal Service contends that it will continue to provide regular and effective postal services to the Elmo community when the Final Determination is implemented. *Id.* at 4-5.

The Postal Service also asserts that it has followed all statutorily required procedures and has addressed the concerns raised by Petitioner regarding the effect on postal services, the effect on the Elmo community, economic savings, and the effect on postal employees. *Id.* at 12.

With regard to Petitioners' factual error assertion, the Postal Service further contends that although some nearby post offices are located across state lines in Iowa, the post office locations near ZIP Code 64445 support the claim that eight other post offices are located within 12.5 miles of the Elmo post office. *Id.* at 5; *see also* Administrative Record, Item No. 4.

Public Representative. The Public Representative states that the Postal Service has followed applicable procedures, that the decision to close the Elmo post office is not arbitrary or capricious, and that the Postal Service's decision is supported by substantial

evidence. Public Representative Reply Brief at 6. He argues that the Postal Service complied with the notice and posting requirements of 39 U.S.C. §404(d)(1). *Id.* He also contends that the Postal Service appears to have considered the pertinent factors of 39 U.S.C. §404(d)(2). *Id.* at 7-9.

Moreover, with regard Petitioners' factual error assertion, the Public Representative found the Postal Service's contention that there are eight post offices within a 12.5 mile radius to be correct. *Id.* at 9. However, he notes that some of the post offices, such as Clearmont, Bradyville, and College Springs, are facilities screened for review in the Retail Access Optimization Initiative (RAOI) and that the Postal Service should not offer RAOI candidate post offices as alternatives for the Elmo post office. *Id.*

The Public Representative concludes that the Final Determination of the Postal Service to close the Elmo post office should be affirmed. *Id.* at 10.

V. COMMISSION ANALYSIS

The Commission's authority to review post office closings is provided by 39 U.S.C. § 404(d)(5). That section requires the Commission to review the Postal Service's determination to close or consolidate a post office on the basis of the record that was before the Postal Service. The Commission is empowered by section 404(d)(5) to set aside any determination, findings, and conclusions that it finds to be (a) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law; (b) without observance of procedure required by law; or (c) unsupported by substantial evidence in the record. Should the Commission set aside any such determination, findings, or conclusions, it may remand the entire matter to the Postal Service for further consideration. Section 404(d)(5) does not, however, authorize the Commission to modify the Postal Service's determination by substituting its judgment for that of the Postal Service.

A. Notice to Customers

Section 404(d)(1) requires that, prior to making a determination to close any post office, the Postal Service must provide notice of its intent to close. Notice must be given 60 days before the proposed closure date to ensure that patrons have an opportunity to present their views regarding the closing. The Postal Service may not take any action to close a post office until 60 days after its determination is made available to persons served by that post office. 39 U.S.C. § 404(d)(4). A decision to close a post office may be appealed within 30 days after the determination is made available to persons served by the post office. *Id.* § 404(d)(5).

The record indicates the Postal Service took the following steps in providing notice of its intent to close. On June 7, 2011, the Postal Service distributed questionnaires to customers regarding the possible change in service at the Elmo post office. Final Determination at 2. A total of 135 questionnaires were distributed to customers of the Elmo post office. Other questionnaires were made available at the retail counter of the Elmo post office. *Id.* A total of 48 questionnaires were returned. *Id.* On June 21, 2011, the Postal Service held a community meeting at the Elmo Community Center to address customer concerns. Seventy-six (76) customers attended. *Id.*

The Postal Service posted the proposal to close the Elmo post office with an invitation for comments at the Elmo, Clearmont, and Burlington Junction post offices from July 20, 2011 through September 20, 2011. *Id.* The Final Determination was posted, for slightly less than the required 30 days, at the same three post offices from October 12, 2012 through November 5, 2011. Administrative Record, Item No. 49. The Final Determination was posted for 23 days, which is 7 days less than specified in the Postal Service's rules. 39 CFR § 241.3(g)(1)(ii).¹⁴

¹⁴ While this posting period is not required by statute, it has been employed by the Postal Service in its discontinuance process.

No party raised the shortened posting period as a concern. Given that the Postal Service provided notice to all interested parties, Petitioners received timely notice as evidenced by this appeal, and the evidence demonstrating the Final Determination was posted for nearly all the required time, the error appears inadvertent and harmless to the process. The Administrative Record demonstrates that customers of the Elmo post office were afforded adequate notice that the Postal Service was reviewing for closure. Any prejudice caused by the failure to post the Final Determination for the full 30 days has been cured by customers receiving actual notice, and filing and participating in this appeal.

The Postal Service has satisfied the notice requirements of 39 U.S.C. § 404(d).

B. Other Statutory Considerations

In making a determination on whether or not to close a post office, the Postal Service must consider the following factors: the effect on the community; the effect on postal employees; whether a maximum degree of effective and regular postal service will be provided; and the economic savings to the Postal Service. 39 U.S.C. § 404(d)(2)(A).

Effect on the community. Elmo, Missouri is an unincorporated community located in Nodaway County, Missouri. Administrative Record, Item No. 16. The community is administered politically by the City of Elmo. Police protection is provided by the Nodaway County Sheriff's Department. Fire protection is provided by the Elmo Fire Department. The community is comprised of farmers, retirees, self-employed individuals, and those who work in local businesses or commute to work in nearby communities. *Id.* Residents may travel to nearby communities for other supplies and services. See *generally* Administrative Record, Item No. 22 (returned customer questionnaires and Postal Service response letters).

As a general matter, the Postal Service solicits input from the community by distributing questionnaires to customers and holding a community meeting. The Postal Service met with members of the Elmo community and solicited input from the

community with questionnaires. In response to the Postal Service's proposal to close the Elmo post office, customers raised concerns regarding the effect of the closure on the community. Their concerns and the Postal Service's responses are summarized in the Final Determination. Final Determination at 7.

Petitioners raise the issue of the impact of closing the post office on the Elmo community and its local businesses. Petition at 1; Notice of Intervention at 1; James Letter at 1; Snodderley Participant Statement at 2. The Postal Service contends that it has considered this issue and explains that the community's identity will be preserved by continuing the use of the community name, ZIP Code, and addresses. Postal Service Comments at 8-9; Final Determination at 7. It adds that residents may continue to meet informally, socialize, and share information at the other businesses, churches and residences in town. Postal Service Comments at 8.

The Postal Service has adequately considered the effect of the post office closing on the community as required by 39 U.S.C. § 404(d)(2)(A)(i).

Effect on employees. The Postal Service states that the Elmo postmaster retired on October 4, 2008 and that an OIC has operated the Elmo post office since then. Final Determination at 2. It asserts that after the Final Determination is implemented, the temporary OIC will either be reassigned or separated and that no other Postal Service employee will be adversely affected. *Id.* at 10.

The Postal Service has considered the possible effects of the post office closing on the OIC and has satisfied its obligation to consider the effect of the closing on employees at the Elmo post office as required by 39 U.S.C. § 404(d)(2)(A)(ii).

Effective and regular service. The Postal Service contends that it has considered the effect the closing will have on postal services provided to Elmo customers. Postal Service Comments at 5. It asserts that customers of the closed Elmo post office may obtain retail services at the Burlington Junction post office located 13 miles away or the

Clearmont post office located 5 miles away.¹⁵ Final Determination at 2. Delivery service will continue to be provided by rural carrier through the Burlington Junction post office. *Id.* The Elmo post office box customers may obtain Post Office Box Service at the Burlington Junction post office, which has 86 boxes available or from the Clearmont post office, which has 10 boxes available. *Id.*

Petitioners suggest that it is inconvenient to travel to other post offices and note the difficulties that residents, especially senior citizens, would face as a result of the Elmo post office closing. Petition at 1; Ecker Participant Statement at 1-3; Kent Participant Statement at 2; Ecker Letter at 1; James Letter at 1; Snodderley Participant Statement at 1-2. Specifically, they note that several people cannot drive, bad road conditions in the Winter would make it impossible to drive to another post office, and many people do not have a computer to take advantage of online retail services. *Id.* For customers choosing not to travel to the Burlington Junction or Clearmont post office, the Postal Service explains that retail services will be available from the carrier. Postal Service Comments at 5. It contends that carrier service is beneficial to many senior citizens and those who face special challenges because it allows them to obtain some postal services without having to travel to the post office for service. *Id.* at 7. It adds that in hardship cases, delivery can be made to the home of a customer. *Id.* It further notes that services are also available for those customers who do not have computers. *Id.* It explains that customers may request special services from the carrier, Stamps by Mail and Money Order Application forms are available for customer convenience, and stamps are also available at many stores and gas stations, online at <http://www.usps.com>, or by calling 1-800-STAMP-24. *Id.* at 6-8.

Petitioners also express concern about effective and timely delivery of mail by rural carrier. Petition at 1; Ecker Participant Statement at 2; Snodderley Participant Statement at 2. Petitioners claim that mail currently coming from the Burlington

¹⁵ The Public Representative notes that the Clearmont post office is a candidate for closing within the Retail Optimization Initiative (RAOI) and asserts that it should not be offered as an alternative. Public Representative Reply Brief at 7.

Junction post office with the rural carrier is often late. Petition at 1; Ecker Participant Statement at 1; James Letter at 1. The Postal Service asserts that the effect of the closing of the Elmo post office on delivery times was considered extensively by the Postal Service. Postal Service Comments at 7. It contends that postmasters monitor mail volume to determine and correct any delays in mail delivery. *Id.* It also notes that it took into consideration the additional workload for the carrier service and delays in delivery times. *Id.* The Public Representative adds that for customers who cannot receive early delivery, the Postal Service offers alternative delivery services such as Post Office Box Service that can provide earlier access to mail. Public Representative Reply Brief at 7.

The Postal Service has considered the issues raised by customers concerning effective and regular service as required by 39 U.S.C. § 404(d)(2)(A)(iii).

Economic savings. The Postal Service estimates total annual savings of \$15,984. Final Determination at 10. It derives this figure by summing the following costs: postmaster salary and benefits (\$20,942) and annual lease costs (\$3,000) minus the cost of replacement service (\$7,508). *Id.*

Petitioners assert that the estimated cost savings are inaccurate because the amounts saved are based on the salary and benefits of a postmaster rather than an OIC, who receives a lower salary and no benefits. Petition at 1; Ecker Participant Statement at 3; Kent Participant Statement at 2; Ecker Letter at 1; Snodderley Participant Statement at 1. The Postal Service notes the fact that the Postal Service may have paid less in salary and benefits over the past years does not mean that it could count on those savings annually in the future. Postal Service Comments at 10. It further contends that if the Elmo post office is not discontinued, that slot would have been filled with a career employee, and the salary and benefits to be paid would be as shown for a postmaster. *Id.*

The Elmo post office postmaster retired on October 4, 2008. Final Determination at 2. The post office has since been staffed by a non-career OIC who, upon discontinuance of the post office, may be separated from the Postal Service. The

postmaster position and the corresponding salary will be eliminated. See, e.g., Docket No. A2011-67, United States Postal Service Comments Regarding Appeal, October 24, 2011, at 10; and Docket No. A2011-68, United States Postal Service Comments Regarding Appeal, November 2, 2011, at 13. Furthermore, notwithstanding that the Elmo post office has been staffed by an OIC for approximately 3 years, even assuming the use of the presumably lower OIC salary, the Postal Service would have satisfied the requirements of section 404(d)(2)(A)(iv).

Petitioners suggest various alternatives to increase business or reduce cost at the Elmo post office. Petition at 1; Kent Participant Statement at 2; James Letter at 2; Snodderley Participant Statement at 1. In particular, Petitioner Ecker, as lessor of the facility occupied by the Elmo post office, offered to forgo the collection of annual rent from the Postal Service. Petition at 1. The Postal Service responds that this option is not feasible because it could not lease the facility if it were not paying rent. Postal Service Comments at 10. It further asserts that even assuming the Postal Service could discount the annual cost of rent (\$3,000) in its calculation of economic savings, the Postal Service would still realize a total annual savings of \$12,964. *Id.*

Petitioners also criticize the Postal Service for failing to account for costs borne by customers to travel to other post offices. Ecker Participant Statement at 1; Kent Participant Statement at 2. The Postal Service explains that such costs are not required to be included in the economic savings calculation. Postal Service Comments at 11. The Postal Service contends that it appropriately applied its financial analysis to calculate the economic savings, and determined that carrier service is more cost-effective than maintaining the Elmo post office and postmaster position. *Id.*

The Public Representative concludes that the Postal Service considered the economic savings from the closing. Public Representative Comments at 8. However, he asserts that the Postal Service's cost savings estimates are inflated. *Id.* He recommends that the Postal Service count a percent of the annual revenue at the Elmo post office against any economic benefits that the Postal Service will realize by closing this office. *Id.*

The Postal Service has satisfied the requirement that it consider economic savings as required by 39 U.S.C. § 404(d)(2)(A)(iv).

VI. CONCLUSION

The Postal Service has adequately considered the requirements of 39 U.S.C. § 404(d). Accordingly, the Postal Service's determination to close the Elmo post office is affirmed.

It is ordered:

The Postal Service's determination to close the Elmo, Missouri post office is affirmed.¹⁶

By the Commission.

Shoshana M. Grove
Secretary

¹⁶ See footnote 3, *supra*.

DISSENTING OPINION OF CHAIRMAN GOLDWAY

The Administrative Record is inaccurate with regard to economic savings. As such, the Postal Service has not adequately considered economic savings as required by 39 U.S.C. § 404(d)(2)(A)(iv).

The Postal Service argues that savings should be calculated based on a full-time postmaster's salary. Yet the Elmo post office has been operated by a non-career officer-in-charge (OIC) since the former postmaster retired on October 4, 2008. On the one hand, the Postal Service argues that the effect on employees of this closing will be minimal because only an OIC will be eliminated; yet on the other hand, it argues that the savings should be calculated using a full-time postmaster position.

A non-career OIC has been in place for more than 3 years. Given this extended period of time, and the Postal Service's current financial difficulties, it is clear that the Postal Service has no obligation to maintain a full-time postmaster in small facilities such as Elmo. Upon closure of the facility, the Postal Service may, at most, avoid continuing to pay the OIC level salary.

The Postal Service already claims billions of dollars in savings from reducing labor costs. I believe the savings from substituting OICs in postmaster positions throughout the nation have already been included in those billions. There are inherent and blatant contradictions in the Administrative Record that must be corrected on remand.

It is not the statutory responsibility of the Commission to correct the Administrative Record for the Postal Service and certainly not to make its own surmise about what and/or whether there would be savings if accurate data were in the

Administrative Record. Therefore, the decision to close should be remanded to the Postal Service to correct the Administrative Record and present a more considered evaluation of potential savings.

In addition, the Postal Service has designated the administrative receiving office for Elmo postal customers as Burlington Junction, 12.6 driving miles from the Elmo post office. The designation of the administrative receiving office can be significant to local postal customers because that will be the location where undeliverable or accountable items are retrieved, where some parcels must be deposited, or certain other “in-person” business is conducted. The Administrative Record does not address with specificity reasonable customer concerns about the large travel distance to the new administrative retail office. Without a more complete explanation of how removing the applicable retail facility to such a distant point will affect the community, the Postal Service has not satisfied its obligation to consider the effect of such closing or consolidation on the community served by the post office, as required by 39 U.S.C. § 404(d)(2)(a)(i).

I am also concerned about the distances between the Elmo post office and those that are offered as substitutes. Several members of Congress have publicly expressed concern that post offices which are 10 miles apart should be maintained in rural areas. The Postmaster General has expressed interest in finding other ways to serve such distant post offices rather than close them altogether. This closing should be reconsidered within the context of the policies now being developed regarding distant rural post offices.

Recent legislation has been introduced precluding the closure of a post office in cases where the nearest post office is more than 10 miles away, and the Commission, in its recent Advisory Opinion (Docket No. N2011-1), found that by using optimization modeling the Postal Service could make better choices about which offices to close that would assure adequate access in rural areas.

The Public Representative notes that three nearby post offices identified by the Postal Service as alternate postal service locations (Clearmont, Bradyville and College Springs) are being studied for possible closure under the Retail Access Optimization Initiative (RAOI). The Commission recently issued its Advisory Opinion in Docket No. N2011-1, pointing to the fact that its closing plans do not optimize the network. In the case of Elmo, the lack of actual retail network optimization is indicated by the Postal Service presenting the community with the option of alternate locations that may close.

Moreover, the Postal Service recently announced a moratorium on post office closings. It is confusing and perhaps unfair to require some citizens whose post offices have received a discontinuance notice as of December 12, 2011 to gather evidence and pursue an appeal to the Commission, while others whose post offices were in the review process, but had not yet received a discontinuance notice by December 12, 2011, have the respite of a 5-month moratorium and the opportunity to have further consideration of alternatives by the Postal Service.

The citizens of Elmo, Missouri and their concerns regarding the loss of a neighborhood post office should be afforded the same opportunity to be heard and considered as the citizens of the approximately 3,700 post offices fully covered by the moratorium.

Ruth Y. Goldway

DISSENTING OPINION OF VICE CHAIRMAN LANGLEY

The Postal Service did not adequately consider the economic savings as required by 39 U.S.C. § 404(d)(2)(A)(iv). The Postal Service should take into consideration that a non-career postmaster relief (PMR) has been in charge of this facility since October 2008, not an EAS-53 postmaster, and reflect the PMR's salary and benefits in its cost savings analysis. As a government entity, the Postal Service should ensure that its cost/benefit analysis accurately identifies capturable cost savings and does not overstate savings.

In addition, Petitioner Ecker questions the Postal Service's claim that there are 8 other post offices within 12.5 miles of the Elmo post office. Ecker Participant Statement at 1. The Postal Service contends that the 8 post offices are Clearmont, Burlington Junction, Bradyville, College Springs, Blanchard, Shambaugh, Westboro, and Coin, which are located within 12.5 miles of the Elmo post office. Postal Service Comments at 5. However, 75 percent of these post offices are being considered for discontinuance under the Retail Access Optimization Initiative (RAOI), including the Clearmont post office, the alternate retail facility to the Burlington Junction post office and five other offices. The Postal Service should include within its discontinuance process a mechanism to ensure that due consideration is given to the impact on the community of the receiving administrative post office immediately being reviewed for discontinuance.

I find that the Administrative Record evidence does not support the Postal Service's decision to discontinue operations at the Elmo post office and should be remanded.

Nanci E. Langley